

MESSAGE NO: 3070210

MESSAGE DATE: 03/11/2003

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: COR

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-877

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 03/10/2003 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CORRECTION TO MSG 2350211 RE STEEL FENCE POSTS FROM CHINA (A-570-877)

MESSAGE NO: 3070210

DATE: 03 11 2003

CATEGORY: ADA

TYPE: COR

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 877

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PERIOD COVERED: 03 10 2003 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CORRECTION TO MSG 2350211 RE STEEL FENCE POSTS FROM
CHINA (A-570-877)

1. ON 12/16/2002, MESSAGE NUMBER 2350211 PROVIDED INCORRECT INFORMATION REGARDING THE PRODUCTS COVERED FOR THE PRELIMINARY DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF LAWN AND GARDEN STEEL FENCE POSTS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-877). SPECIFICALLY, MESSAGE NUMBER 2350211 INCORRECTLY STATED IN THE LAST PARAGRAPH OF ITEM 2 THAT EXCLUDED FROM THE SCOPE ARE "TEE" POSTS, FARM POSTS, AND SIGN POSTS, PROVIDED THAT THE POSTS WEIGH OVER 1 POUND PER FOOT.

2. THIS MESSAGE IS NOW AMENDED TO EXCLUDE ALL OTHER FENCE POSTS MADE OF STEEL AND/OR OTHER METAL "TEE" POSTS, FARM POSTS, AND SIGN POSTS, REGARDLESS OF WEIGHT.

3. ITEM 2 OF MESSAGE NUMBER 2350211 SHOULD BE CHANGED TO READ AS FOLLOWS: FOR PURPOSES OF THIS INVESTIGATION, THE PRODUCTS COVERED CONSIST OF ALL "U" SHAPED OR "HAT" SHAPED LAWN AND GARDEN FENCE POSTS MADE OF STEEL AND/OR ANY OTHER METAL, WEIGHING 1 POUND OR LESS PER FOOT, AND PRODUCED IN THE PRC. THE FENCE POSTS INCLUDED WITHIN THE SCOPE OF THIS INVESTIGATION WEIGH UP TO 1 POUND PER FOOT AND ARE MADE OF STEEL AND/OR ANY OTHER METAL. IMPORTS OF THESE PRODUCTS ARE CLASSIFIED UNDER THE FOLLOWING CATEGORIES: FENCE POSTS, STUDDED WITH CORRUGATIONS, KNOBS, STUDS, NOTCHES OR SIMILAR PROTRUSIONS WITH OR WITHOUT ANCHOR POSTS AND EXCLUDE ROUND OR SQUARE TUBING OR PIPES.

THESE POSTS ARE NORMALLY MADE IN TWO DIFFERENT CLASSES, LIGHT AND HEAVY DUTY. LIGHT DUTY LAWN AND GARDEN FENCE POSTS ARE NORMALLY MADE OF 14 GAUGE STEEL (0.068 INCHES - 0.082 INCHES THICK), 1.75 INCHES WIDE, IN 3, 4, 5, OR 6 FOOT LENGTHS. THESE POSTS NORMALLY WEIGH APPROXIMATELY 0.45 POUNDS PER FOOT AND ARE PACKAGED IN MINI-BUNDLES OF 10 POSTS AND MASTER BUNDLES OF 400 POSTS. HEAVY DUTY LAWN AND GARDEN STEEL FENCE POSTS ARE NORMALLY MADE OF 13 GAUGE STEEL (0.082 INCHES - 0.095 INCHES THICK), 3 INCHES WIDE, IN 5, 6, 7, AND 8 FOOT LENGTHS. HEAVY DUTY POSTS NORMALLY WEIGH APPROXIMATELY 0.90 POUNDS PER FOOT AND ARE PACKAGED IN MINI-BUNDLES OF 5 AND MASTER BUNDLES OF 200. BOTH LIGHT DUTY AND HEAVY DUTY POSTS ARE INCLUDED WITHIN THE SCOPE OF THE INVESTIGATION.

IMPORTS OF THESE PRODUCTS ARE CLASSIFIED UNDER THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) SUBHEADING 7326.90.85.35. FENCE POSTS CLASSIFIED UNDER SUBHEADINGS 7308.90.3000 AND 7308.90.6000 ARE ALSO INCLUDED WITHIN THE SCOPE OF THE INVESTIGATION IF THE FENCE POSTS ARE MADE OF STEEL AND/OR METAL.

SPECIFICALLY EXCLUDED FROM THE SCOPE ARE OTHER POSTS MADE OF STEEL AND/OR OTHER METAL INCLUDING "TEE" POSTS, FARM POSTS, AND SIGN POSTS, REGARDLESS OF WEIGHT. ALTHOUGH THE HTSUS SUBHEADINGS

ARE PROVIDED FOR CONVENIENCE AND U.S. CUSTOMS SERVICE (CUSTOMS) PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

4. DUE TO THE INCORRECT DESCRIPTION IN THE LAST PARAGRAPH OF ITEM 2 OF THE PRODUCTS COVERED IN MESSAGE NUMBER 2350211, CUSTOMS IS DIRECTED TO RELEASE ANY BOND OR OTHER SECURITY, AND REFUND ANY CASH DEPOSIT FOR IMPORTS OF "OTHER POSTS MADE OF STEEL AND/OR OTHER METAL INCLUDING "TEE" POSTS, FARM POSTS, AND SIGN POSTS, REGARDLESS OF WEIGHT."

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT SALIM BHABHRAWALA, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-1784.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party